



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

Urgent Matter - Prompt Reply Necessary
Certified Mail - Return Receipt Required

NOV 3 0 2012

ATTN: Bruce Jenkins
Regional Facilities Manager
Hannaford Brothers
54 Hannaford Road
South Portland, Maine 04104

Re: Request for Information Issued Pursuant to Section 114(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a)(1)

Dear Mr. Jenkins:

On September 20, 2012, representatives from the United States Environmental Protection Agency (EPA) conducted an inspection of Hannaford Brothers located in South Portland, ME. During the inspection EPA representatives were not allowed to make copies of facility documents that related to the RMP program.

The purpose of this inspection was, in part, to determine Hannaford Brother's compliance with Section 112(r) of the amended Clean Air Act (CAA), 42 U.S.C. § 7412(r), and implementing regulations set forth at 40 C.F.R. Part 68. CAA Section 112(r) and its implementing regulations mandate a federal focus on the prevention of chemical accidents. The objective of Section 112(r) is to prevent accidental releases of substances that can cause serious harm to public health and the environment. Under these requirements, industry has the obligation to prevent chemical releases by (1) identifying hazards that might result in such releases, using appropriate hazard assessment techniques; (2) designing and maintaining a safe facility; and (3) minimizing the consequences of releases that do occur.

Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a company to submit such information as EPA may reasonably require to determine its compliance with the CAA. To enable EPA to determine the compliance status of Hannaford Brothers, responses to the enclosed list of questions (Attachment 2) must be furnished by January 15, 2013.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, by January 15, 2013 can result in an enforcement action by EPA pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. This statute permits EPA to seek the imposition of penalties. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). You should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to you.

You are required to submit the above-referenced information to:

Jim Gaffey, RCRA, EPCRA and Federal Programs Unit
Office of Environmental Stewardship (Mail Code OES 05-1)
U. S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

As part of your response, please complete the enclosed declaration (Attachment 1) and provide a cover letter carefully specifying what documentation is included to answer each question. If you have any questions with regard to this Information Request, please contact Mr. Jim Gaffey of my staff at (617) 918-1753.

Sincerely,

Susan Studlien, acting for

Susan Studlien, Director
Office of Environmental Stewardship

Enclosures

cc: Jim Gaffey, EPA

ATTACHMENT 1

Instructions: Complete and Include With Your Response

DECLARATION

I declare under penalty of perjury that I am the

_____ of _____,
[Title] [Name of Facility]

that I am authorized to respond on behalf of

_____, and
[Name of Facility]

that the foregoing is a complete, true, and correct response.

Executed on _____
[Date]

[Signature]

[Type Name and Title]

ATTACHMENT 2

Guidance on How to Respond. You must submit all responsive documents. Please respond separately to each of the questions, referencing each question by number in your answer. The response must include copies of all records and information which you reference in your response or which you feel are relevant to the information being requested. "Records" and "information" and "document" means the original or an identical and readable copy thereof, and all non-identical copies (whether different from the original by reason of notation made on such copies or otherwise), of any writings or records (**including electronic records**) of any type or description, however created, produced or reproduced.

As part of your response, please complete the enclosed declaration (Attachment 1) and provide a cover letter carefully specifying what documentation is included to answer each question. (If documents requested in response to one item duplicate those requested by another question, submit only one copy of the documentation.) Your submission must be a self-explanatory, complete response that is dated and signed by an authorized facility official.

Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to these questions become known or available after answering this request, including, but not limited to, specific information that may be deemed *unknown* at the time of your response, EPA hereby requests, pursuant to Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1), that you supplement your response to EPA within ten (10) days of discovering such information. If at any time after the submission of this response, you discover or believe that any portion of the submitted information is incomplete or misrepresents the truth, notify Jim Gaffey of this fact as soon as possible and provide EPA with a corrected response. For the period from January 1, 2007, to the present, provide a separate numbered response to each numbered paragraph or subparagraph below. **To the extent that you believe that you have answered a question in another section, please refer to the section and answer you have provided. If the answer to any of the questions below is contained in Hannaford Brother's Risk Management Plan (RMP), you may provide a copy of the plan and refer to the appropriate section of the plan in lieu of answering the question, provided that the RMP reference is accurate and fully answers the question posed.**

1. Provide all documentation associated with the ammonia inventory calculations for both South Portland Facilities. The 2011 RMP re-submission for the 54 Hannaford Road, South Portland facility reported the presence of 11,913 pounds of ammonia. The Reporting Year 2011 Tier II report identifies 11,250 pounds of ammonia within the refrigeration system of the frozen food facility and 9,750 pounds of ammonia within the refrigeration system of the 1985/1995 Compressor Room #1. Include a copy of all references and industry guidance used to make these ammonia inventory calculations.
2. Provide a copy of the bill of lading and/or other shipping papers for the ammonia shipment received and charged into the refrigeration systems at the South Portland Facilities since January 1, 2007.
3. Provide the name, title and telephone number for employees at the South Portland Facilities who have hazardous material management and/or emergency response responsibilities.
4. Provide copies of current site plans and facility diagrams for the South Portland Facilities. Indicate the following on a plan or map of the facility: sprinkler systems, fire suppression systems, smoke and chemical detectors, heating/air conditioning and ventilation systems, thermostats, emergency alarms, buildings and site exits, electrical transformers, emergency electrical generators, emergency response equipment such as fire extinguishers and spill control kits, personal protective equipment storage, safety control centers, and site security structures such as fences or surveillance systems, personnel emergency muster areas, first aid equipment stations, eye wash stations, and locations of emergency call down lists.
5. Identify any specific building and operation design codes and standards used to build the facility's refrigeration system. Identify any specific building and operation design codes and standards used to modify or make changes to the facility's refrigeration system. Include the date(s) these changes were made. State where records of compliance with these codes and standards are stored and maintained.
6. Provide a copy of the initial and all subsequent process hazard analyses (PHAs) for each covered process, documentation of team members who participated in the PHAs (including their resumes identifying their area of expertise), and records that document the prompt address of the team's findings and recommendations.
7. Provide a description of the facility and its operations as well as the processing equipment associated with the ammonia refrigeration systems. Include in this description a simple process flow chart labeling all process steps. Identify all King Valves clearly in a machinery room schematic for both plants. Provide an explanation for removing valve hand wheels from manually operated valves within the Dairy Plant Machinery Room.
8. Provide a copy of the two most recent RMP Compliance Audits. Include documentation of team members who participated in the audits (including their resumes identifying their

area of expertise), and records that document the address of the audit team's findings and recommendations.

9. Provide all records and logs that document inspections and maintenance activities of the following components. The component identification numbers are based on field observations made during the September 20, 2012 inspection of the Dairy Plant. Include a copy of all applicable standard operating procedures.
 - a) HV PV3 13 CKV PV3 12
 - b) HV PV4 13 CKV PV4 12
 - c) DPR EV7-09
 - d) DPR EV8-09
 - e) PSV EX2-02
10. Provide all records and logs that document inspections, calibrations, bump tests and maintenance activities of the following components: (a) all fixed ammonia detectors located at both plants performed since January 1, 2007; and (b) all portable and hand held ammonia detectors used at both plants since January 1, 2007. Include a copy of all applicable standard operating procedures used for each of these activities as well as a copy of the applicable manufacturers' manuals. Include all alarm set points associated with each fixed ammonia detector and identify where (i.e., local and/or remote, visual and/or audible) the alarms are discernible. Be specific for each detector alarm.
11. For the activities outlined in questions 9 and 10, provide a list of all persons who performed the listed activities (i.e., inspection, maintenance, and calibration), the operator's affiliation (i.e., Hannaford employee, specific contractor employee) and a copy of initial and refresher training (including the agenda associated with the training and the date of training) provided for each of the job function he or she performed.
12. Provide a copy of the Management of Change document identified as MOC 2011-01.
13. Provide a copy of the standard operating procedure (SOP) certification log dated 12/4/2009. Additionally, provide a copy of SOP-2b (regarding operation of evaporative condenser EC5).
14. Fill out the enclosed RMP Program Level 3 Process Checklist for each process.